

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

In re: Brenda Diane Green ) Case No: 22-32508  
fdbा BG & RJ Hauling LLC ) Chapter 13

**OBJECTION TO CONFIRMATION**

**COMES NOW**, Susan H. Call, Counsel for Carl M. Bates the Chapter 13 Trustee, and moves this Court to deny confirmation of the Chapter 13 Plan filed on September 12, 2022, for the cause as follows:

1. The Debtors filed this Chapter 13 Petition on September 12, 2022 under 11 U.S.C. Chapter 13, now pending in the United States Bankruptcy Court, Eastern District of Virginia, Richmond Division.
2. This Objection is filed pursuant to 11 U.S.C. 1325 (b) (1) (B).
3. The above filed Chapter 13 Plan fails to provide that all of the debtor's projected disposable income in the applicable commitment period will be applied to the plan payments, shown by:
  - a. The trustee requests three months of bank statements from all bank accounts to include, but not be limited to the August bank statement from Wells Fargo.
  - b. The trustee requests the transfer date of the business from the debtor to her husband.
  - c. The trustee requests a copy of all LLC business taxes from 2021.
  - d. The debtor testified there are no business expenses, so this should be reflected in her schedules, if not already.
  - e. The trustee would suggest that all required income be paid into the Chapter 13 Plan.

WHEREFORE, for the reasons stated herein, the Chapter 13 Trustee, by Counsel, Susan H. Call, respectfully moves the Court to deny confirmation of the Debtors' proposed Chapter 13 Plan as filed with the Court, and for such further and other relief as in the premises may seem just.

Date: December 7, 2022

/s/Susan H. Call  
Susan H. Call, Counsel for  
Carl M. Bates  
Chapter 13 Trustee

**Certificate of Service**

I hereby certify that on December 7, 2022, I have mailed or hand-delivered a true copy of the foregoing Objection to Confirmation to the debtor(s), Brenda Diane Green, 9283 Coleman Rd, Mechanicville, VA 23116 and electronically sent to debtor's attorney, Patrick Thomas Keith, Esquire, ecf@bolemanlaw.com.

/s/Susan H. Call  
Susan H. Call, Counsel for  
Carl M. Bates  
Chapter 13 Trustee

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Debtor Address 9283 Coleman Rd  
Mechanicsville, VA 23116

Last four digits of Social Security No(s): 4381

**NOTICE OF OBJECTION TO CONFIRMATION**

Susan H. Call, Counsel for Carl M. Bates the Chapter 13 Trustee, has filed papers with the Court objecting to confirmation of your Chapter 13 Plan, which was filed in this case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).**

If you do not want the court to grant the relief sought in the objection, or if you want the court to consider your views on the objection, then on or before three (3) days before the date of the hearing, you or your attorney must:

X File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court  
United States Bankruptcy Court  
701 East Broad Street, Suite 4000  
Richmond, VA 23219

You must also mail a copy to:

Susan H. Call, Counsel for  
Carl M. Bates  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218

\_\_\_\_ Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**

X Attend the hearing on the objection scheduled to be held on **December 14, 2022** at **9:05 am** at United States Bankruptcy Court.

**REMOTE HEARING INFORMATION:**

This hearing will take place remotely through Zoom on the date and time scheduled herein.

To appear at the hearing, you must send, by email, a completed request form (the “Zoom Request Form”), which is available on the Court’s internet website at [www.vaeb.uscourts.gov](http://www.vaeb.uscourts.gov), on the page titled, “Temporary Emergency Provisions Regarding ZoomGov Remote Proceeding Access Information.” Email your completed Zoom Request Form to the email address listed for the Judge assigned to the case. Following receipt of your Zoom Request Form, Court staff will respond to the email address from which the request was submitted with additional information on how to participate through Zoom.

\*\*\*The email address shall be used only to submit Zoom Request Forms. No other matters or requests will be considered by Court staff, and under no circumstances will any such matters or requests be brought to the Judge’s attention. Failure to comply with these instructions may result in appropriate action, including but not limited to the imposition of sanctions.\*\*\*

**PLEASE NOTE:** You MUST submit the Zoom Request Form no later than two (2) business days prior to this hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the objection and may enter an order granting that relief.

Date: December 7, 2022

/s/Susan H. Call  
Susan H. Call, Counsel for  
Carl M. Bates  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218-1819  
VSBN 34367

**Certificate of Service**

I hereby certify that on December 7, 2022, I have mailed or hand-delivered a true copy of the foregoing Notice of Objection to Confirmation to the debtor(s), Brenda Diane Green, 9283 Coleman Rd, Mechanicville, VA 23116 and electronically sent to debtor’s attorney, Patrick Thomas Keith, Esquire, ecf@bolemanlaw.com.

/s/Susan H. Call  
Susan H. Call, Counsel for  
Carl M. Bates, Chapter 13 Trustee

Susan H. Call, Esquire  
Staff Counsel for  
Carl M. Bates, Chapter 13 Trustee  
P.O. Box 1819  
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